

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

CARL EUGENE MANFORD,

Plaintiff,

v.

Civil Action No. 2:13-07562

DEPARTMENT OF MILITARY AFFAIRS as
MOUNT OLIVE CORRECTIONAL COMPLEX as
DAVID BALLARD, Warden,
WEXFORD HEALTH SOURCES, INC. and
BETH ESTEP,

Defendants.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation ("PF&R") of the United States Magistrate Judge filed on January 14, 2014, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B); and having reviewed the record in this proceeding; and there being no objections filed by either the respondent or the petitioner to the PF&R; and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the PF&R be, and they hereby are, adopted by the court.

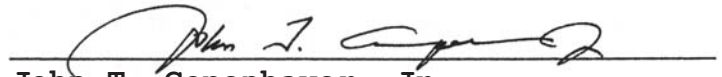
It is, accordingly, ORDERED as follows concerning certain motions pending on the docket:

1. That the motion to dismiss filed by David Ballard (ECF No. 20), be, and hereby is, granted;
2. That the motion to dismiss filed by the West Virginia Department of Military Affairs (ECF No. 22) be, and hereby is, granted;
3. That the motion to dismiss filed by Wexford Health Sources, Inc., and Beth Estep (ECF No. 24), be, and hereby is, granted; and
4. That plaintiff's motion for injunctive relief be, and hereby is, denied.

It is further ORDERED that this action be, and hereby is, dismissed and stricken from the docket.

The Clerk is directed to forward copies of this written opinion and order to the petitioner, all counsel of record, and the magistrate judge.

DATED: February 12, 2014


John T. Copenhaver, Jr.
United States District Judge